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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : DOCKET NO. 2: 03 CR 20067

VS. : JUDGE MINALDI

DAVID JEROME FRANK : MAGISTRATE JUDGE KAY

**MEMORANDUM ORDER**

The defendant, David Jerome Frank, has filed a "Motion to Correct Prejudicial Clerical Error Under Rule 36 of Criminal Procedure" (Rec. Doc. 133). The Government has filed an Opposition (Rec. Doc. 135).

Fed. R. Crim. P. 36 states:

After giving any notice it considers appropriate, the court may at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission.

In reviewing the defendant's arguments, as well as the procedural history in this case, the court finds no clerical error in the written judgment of conviction, and thus no basis for relief under Rule 36. *See* Fed.R.Crim.P. 36. Accordingly,

IT IS ORDERED that the defendant's Motion to Correct Prejudicial Clerical Error Under Rule 36 of Criminal Procedure IS DENIED.

Lake Charles, Louisiana, this 18 day of April, 2011.

  
PATRICIA MINALDI

UNITED STATES DISTRICT JUDGE